



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

LUBITZ, et al.

Art Unit: 1636

Application No.: 09/147,693

Examiner: Sandals, W.

Filed: February 17, 1999

Attorney Dkt. No.: P564-9005

For: NEW SYSTEMS FOR THE REGULATION OF GENE EXPRESSION

**AMENDMENT UNDER 37 CFR § 1.116**

Commissioner for Patents  
Washington, D.C. 20231

Date: May 10, 2001

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Sir:

In reply to the outstanding Office Action dated January 12, 2001, please amend the application as follows:

**IN THE CLAIMS:**

Please amend the claims as follows:

38. A method for selecting OR or OL operator DNA sequences from lambdoid phages wherein said sequences have a different thermostability compared to a wild-type sequence with regard to binding a repressor, comprising

- (a) preparing a DNA cassette which contains a selection gene under the operative control of an expression control sequence comprising at least one OR or OL operator DNA sequence from a lambdoid phage and a promoter,